

SL

**AKIM F. CZMUS
901 RODMAN STREET
PHILADELPHIA, PENNSYLVANIA 19147
PLAINTIFF
PRO SE**

08-cv-1675

VS.

**PATRICK MEEHAN
U.S. ATTORNEY FOR THE EASTERN DISTRICT OF PENNSYLVANIA
615 CHESTNUT STREET, #1250
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT**

FILED

APR 9 2008

AND

MICHAEL E. ROSE, Clerk
By _____ Dep. Clerk

**ANNETTA GIVHAN
ASSISTANT U.S. ATTORNEY FOR THE EASTERN DISTRICT OF PENNSYLVANIA
615 CHESTNUT STREET, #1250
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT**

AND

**THOMAS ZALESKI
ASSISTANT U.S. ATTORNEY FOR THE EASTERN DISTRICT OF PENNSYLVANIA
615 CHESTNUT STREET, #1250
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT**

AND

**DIVISION OF HOMELAND SECURITY
PHILADELPHIA OFFICE
8TH FLOOR
WILLIAM J. GREEN, JR. FEDERAL OFFICE BUILDING
600 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT**

AND

JAMES P. DOOLIS, JR.
SPECIAL AGENT
DIVISION OF HOMELAND SECURITY
PHILADELPHIA OFFICE
8TH FLOOR
WILLIAM J. GREEN, JR. FEDERAL OFFICE BUILDING
600 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT

AND

JAYNE L. CHALLMAN
SPECIAL AGENT
DIVISION OF HOMELAND SECURITY
PHILADELPHIA OFFICE
8TH FLOOR
WILLIAM J. GREEN, JR. FEDERAL OFFICE BUILDING
600 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT

AND

ROBERT F. DOWNEY
SPECIAL AGENT
DIVISION OF HOMELAND SECURITY
PHILADELPHIA OFFICE
8TH FLOOR
WILLIAM J. GREEN, JR. FEDERAL OFFICE BUILDING
600 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT

AND

RAFAEL J. GARCIA, JR.
SPECIAL AGENT
DIVISION OF HOMELAND SECURITY
PHILADELPHIA OFFICE
8TH FLOOR
WILLIAM J. GREEN, JR. FEDERAL OFFICE BUILDING
600 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT

AND

MICHAEL J. HUBERTY
DIVISION OF HOMELAND SECURITY
PHILADELPHIA OFFICE
8TH FLOOR
WILLIAM J. GREEN, JR. FEDERAL OFFICE BUILDING
600 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT

AND

MICHAEL SMERCONISH
DIVISION OF HOMELAND SECURITY
PHILADELPHIA OFFICE
8TH FLOOR
WILLIAM J. GREEN, JR. FEDERAL OFFICE BUILDING
600 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT

AND

ALMA NOSARIO
DIVISION OF HOMELAND SECURITY
PHILADELPHIA OFFICE
8TH FLOOR
WILLIAM J. GREEN, JR. FEDERAL OFFICE BUILDING
600 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT

AND

**EDA GUISTI
DIVISION OF HOMELAND SECURITY
PHILADELPHIA OFFICE
8TH FLOOR
WILLIAM J. GREEN, JR. FEDERAL OFFICE BUILDING
600 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT**

AND

**DENNIS M. JACKSON
DIVISION OF HOMELAND SECURITY
PHILADELPHIA OFFICE
8TH FLOOR
WILLIAM J. GREEN, JR. FEDERAL OFFICE BUILDING
600 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19106
DEFENDANT**

**COMPLAINT
CIVIL ACTION**

Plaintiff, pro se, hereby avers the following:

NATURE OF ACTION

1. The instant action arises out of the baseless, malicious, wrongful and fraudulent investigation of Plaintiff Akim F. Czmus initiated by Defendant William J. Kennard, Jr. in 1978 which has lasted over 30 years from 1978 to the present.

DEFENDANTS

2. Defendants number in the hundreds and are listed in Exhibit A.
3. Defendant Patrick Meehan is the U.S. Attorney for the Eastern District of Pennsylvania and has an office located at 615 Chestnut Street, #1250, Philadelphia, Pennsylvania 19106.
4. Defendant Annetta Givhan is an Assistant U.S. Attorney for the Eastern District of Pennsylvania and has an office located at 615 Chestnut Street, #1250, Philadelphia, Pennsylvania 19106.
5. Defendant Thomas Zaleski is an Assistant U.S. Attorney for the Eastern District of Pennsylvania and has an office located at 615 Chestnut Street, #1250, Philadelphia, Pennsylvania 19106.

6. Defendant Division of Homeland Security is responsible for conducting various law enforcement operations to provide security at airports and other facilities. It maintains offices in various areas of the country including an office located at 8th Floor, William J. Green, Jr. Federal Office Building, 600 Arch Street, Philadelphia, Pennsylvania 19106 and is responsible for investigations in the Eastern District of Pennsylvania, Middle District of Pennsylvania and Southern New Jersey.
7. Defendant Division of Homeland Security, Philadelphia Office is staffed by 4 Special Agents: James Doolis, Jr., Jayne L. Challman, Robert F. Downey and Rafael J. Garcia, Jr.
8. Defendant Division of Homeland Security is also staffed by various other personnel including Defendants Michael J. Huberty, Michael Smerconish, Eda Guisti, Dennis M. Jackson and others.

JURISDICTION AND VENUE

9. Jurisdiction is governed by 28 U.S.C. Sec. 1355 where residence of the Plaintiff and Defendants lie. Both Plaintiff and Defendants reside in the Eastern District of Pennsylvania.
10. Venue is governed by 28 U.S.C. Sec. 1395 which is where the events that give rise to the action occurred.
11. Defendants subjected Plaintiff to their wrongful, vicious, malicious and baseless investigation in the City of Philadelphia, Commonwealth of Pennsylvania in the Eastern District of Pennsylvania.

BASIS OF SUIT

12. The basis of this suit arises out of the repeated, numerous, and egregious violations of multiple federal statutes by members of the U.S. Attorney's Office for the Eastern District of Pennsylvania and agents of the Division of Homeland Security, Philadelphia Office.

FACTS

COUNT I

PLAINTIFF VS ALL DEFENDANTS
VIOLATION OF HIPPA

13. Plaintiff incorporates by reference averments one (1) through twelve (12) as though set forth fully herein.
14. In November, 1999, Plaintiff Akim F. Czmus first consulted Defendant Dr. Gary Kramer, a psychiatrist for treatment of panic attacks resulting from the stress caused by his partner Defendant William J. Kennard, Jr.
15. Without Plaintiff's consent, Defendant Dr. Kramer transmitted detailed psychiatric information to multiple other mental health care providers including Defendants Dr. Reeves, Fishkin, Hoyme as well as Defendant Neil Bonavita, a psychiatric social worker working with Defendant Reeves.
16. Defendants Reeves and Bonavita threatened Plaintiff with involuntary commitment if he did not agree to inpatient admission at Pottstown Memorial Hospital's psychiatric ward. Prior to that time, Plaintiff had never been hospitalized for any psychiatric condition.
17. With no other option, Plaintiff agreed under duress to be admitted to Pottstown Memorial Hospital's psychiatric ward.
18. In 2003, Defendants Bonavita and Reeves involuntarily committed Plaintiff without

determining whether he was a risk to himself or others.

19. The involuntary commitment contradicted all the medical facts as Plaintiff was not a threat to himself or anyone.
20. Plaintiff was taken to Pennsylvania Hospital where a psychiatric evaluation by a Board Certified Psychiatrist demonstrated absolutely no basis for involuntary commitment, no need for voluntary inpatient admission, and no need for any change in his outpatient program.
21. In 2007, Defendant Finkelstein, Plaintiff's family doctor called Defendant Fishkin to discuss Plaintiff's medical condition and treatment without Plaintiff's consent.
22. In 2004, Plaintiff was referred to Defendant Dr. Hoyme, a psychiatrist working with Defendant Homeland Security who discussed all of Plaintiff's treatment with Defendant Homeland Security, again without Plaintiff's consent.
23. From 2004 to 2007 without consent, Defendant Hoyme discussed Plaintiff's condition with Plaintiff's partner, Defendant Jackson.
24. Defendants' disclosure flagrantly violated confidentiality mandated under HIPPA.

WHEREFORE, Plaintiff demands judgment in his favor together with interest, costs and attorneys fees.

COUNT II
PLAINTIFF VS DEFENDANTS KRAMER, REEVES, FISHKIN, FINKELSTEIN,
FENTON, AND HOYME
DELIBERATE MISDIAGNOSIS AND DRUGGING TO CONTROL PLAINTIFF

25. In November of 1999, Plaintiff saw Defendant Dr. Kramer for panic problems which he

Dr. Kramer diagnosed as Clinical Depression and placed him on massive doses of antidepressants.

26. Even though there was no evidence of this diagnosis, Defendant Dr. Kramer prescribed larger and larger doses of medications in an attempt to sedate Plaintiff and convince him that he had a psychiatric illness when he didn't.
27. The doses of medications increased exponentially despite the lack of any basis resulting in severe sedation.
28. Defendant Dr. Kramer transferred Plaintiff to Defendant Dr. Reeves and was treated by Defendant Dr. Fishkin, Finkelstein, Hoyme and Fenton continuing treatment with no psychiatric illness to convince Plaintiff that he had a nonexistent psychiatric condition.
29. Plaintiff was treated from 1999 to the present in the same way by multiple psychiatrists.
30. At no time did Plaintiff have any psychiatric condition or did he need any psychiatric treatment.
31. The treatment rendered by these psychiatrists was fraudulent, improper, and demonstrated wanton and reckless disregard for the Plaintiff's well being and placed Plaintiff at risk for death and severe medical complications.
32. The treatment rendered was a gross deviation from accepted medical standards and constitutes grounds for medical license revocation.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees.

COUNT III
PLAINTIFF VS DEFENDANTS FINKELSTEIN AND FISHKIN
ABANDONMENT

33. Plaintiff incorporates the averments one (1) through thirty two (32) as though set forth fully herein.
34. In 2007, after discussing Plaintiff's condition, Defendants Finkelstein and Fishkin immediately ceased treating Plaintiff, without any provisions for interim treatment.
35. Defendant Finkelstein demanded an exorbitant copying fee that grossly exceeded that permitted under Pennsylvania law.
36. Since Plaintiff did not have his records, Plaintiff's search for new doctors was severely hindered and prevented Plaintiff from securing proper medical treatment.
37. Without a doctor, Plaintiff was forced to seek medical care at Pennsylvania Hospital and the University of Pennsylvania's emergency rooms.
38. Defendant Finkelstein still refuses to provide Plaintiff his records without paying the excessive fee.
39. Plaintiff waited more than four months to see a new physician and meanwhile had no refills on any of his prescriptions.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT IV
PLAINTIFF VS DEFENDANT FINKELSTEIN
EXTORTION

40. Plaintiff incorporates by reference averments one (1) through thirty nine (39) as though set forth fully herein.
41. Defendant Finkelstein's refusal to provide Plaintiff his medical records without paying an excessive fee more than permitted under Pennsylvania Law constitutes extortion.

42. The refusal to provide these records prevented Plaintiff from finding a new doctor.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees.

COUNT V
PLAINTIFF VS ALL DEFENDANTS
CIVIL RIGHTS VIOLATIONS 42 U.S.C. SECS 1983 AND 1988

43. Plaintiff incorporates by reference averments (1) through forty two (42) as though set forth fully herein.

44. Defendant's agents entered Plaintiff's home to install an elaborate surveillance system including numerous video cameras, microphones, sound devices, light devices, controlled through Plaintiff's own personal laptop computer.

45. Defendants used Plaintiff's home regularly to conduct ongoing operations begun prior to Plaintiff's ownership, all without his consent.

46. Defendant Homeland Security searched Plaintiff's personal items and records including those in his safe.

47. The ongoing surveillance had no basis as many agents were long time friends and associates of the Plaintiff and were in a privileged position to know that Plaintiff was not involved in any illegal conduct.

48. In May, 2006, Plaintiff was offered a position with Bankers Life and Casualty Insurance in King of Prussia, Pennsylvania.

49. At Bankers Life, Defendants Wesley Masure and Leroy Goldsmith harassed Plaintiff and then paired him with Defendant Steven Garay to place Plaintiff under constant surveillance.

50. Plaintiff asked for training which was never provided since there was never true business motive for the Banker's office.
51. In December 2006, Defendants Vick and Arnold hired Plaintiff to work at New York ime Life where Plaintiff was harassed based on his age and sexual orientation.
52. Plaintiff notified Defendant Arnold that Defendant Mooney had been harassing him daily.
53. When Plaintiff asked Defendant Arnold to address the problem, she fired him to cover it up even though his work performance reviews had all been excellent.
54. Besides Defendant Arnold, Defendants Vick, Picketts, Cohen, Mooney, Ditorre, Coulter, Owens, Kavanagh, Young also staffed this office.
55. Defendant Lisa Dalton who owned AMPIA, American Mortgage Protection Insurance Agency in Eatontown, New Jersey hired Plaintiff as an insurance agent to work with Defendant Chuva.
56. All Plaintiff's potential customers were not real customers but rather Defendant Homeland Security agents who were part of the operation.
57. Since all Plaintiff's potential customers were not real but rather Defendant Homeland Security personnel, they had no interest in buying insurance.
58. Defendant AMPIA Insurance conducted business in Pennsylvania through a time share office located at Three Greentree Center, Route 73 and Greentree Road, Marlton, New Jersey.
59. At no time did AMPIA Insurance maintain a Pennsylvania address in defiance of Pennsylvania Insurance and Business regulations.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and

attorneys fees.

COUNT VI
PLAINTIFF VS ALL DEFENDANTS
FRAUD-MISREPRESENTATION OF MOTIVES

60. Plaintiff incorporates by reference averments one (1) through fifty nine (59) as though set forth fully herein.
61. Defendant Masure hired Plaintiff to work at Bankers Life and Casualty Insurance, that was not a real job.
62. Defendants Vick and Arnold hired Plaintiff to work at New York Life Insurance in Cherry Hill, New Jersey , another Defendant Homeland Security front
63. Defendants Chuva and Dalton hired Plaintiff to work at AMPIA another Defendant Homeland Security front.
64. Defendants misrepresented their background, location, interests, financial status and motives.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT VII
PLAINTIFF VS ALL DEFENDANTS
FRAUD-MISREPRESENTATION OF CONFIDENTIALITY

65. Plaintiff incorporates by reference the averments in paragraphs one (1) through sixty four (64) as though set forth fully herein.
66. Defendant Drs. Kramer, Reeves, Finkelstein, Fishkin, and Hoyme's disclosure of medical records without consent constituted a fraud and was a misrepresentation of the

confidentiality of Plaintiff's medical records.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT VIII
PLAINTIFF VS ALL DEFENDANTS
FALSE PRETENSES

67. Plaintiff incorporates by reference averments in paragraphs one (1) through sixty six (66) as though set forth fully herein.
68. Defendant Homeland Security agents Stenner, Spencer, Stratche, Horan, Maloney contacted Plaintiff for the express purpose of becoming friends when they actually wanted to conduct surveillance and had no interest in becoming friends.
69. Defendants Arnold, Masure, Chuva, and Dalbert misrepresented themselves as managers associated with New York Life, Bankers Life and Hartford Insurance respectively but they really worked for Defendant Homeland Security.
70. Defendants deliberately concealed their intentions and acted under false pretenses.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT VIX
PLAINTIFF VS ALL DEFENDANTS
VIOLATION OF RIGHT TO FREE SPEECH

71. Plaintiff incorporates by reference the averments in paragraphs one (1) through seventy (70) as though set forth fully herein.
72. Defendant Homeland Security agents repeatedly blocked Plaintiff's computer internet access, erased computer files, and blocked all his phones.

73. Plaintiff's eighty seven 87 year old father frantically called Plaintiff on his cell phone more than four times but could not reach him, causing Plaintiff's father incredible emotional distress for a man with severe heart disease and Plaintiff's mother who has severe intractable cardiac chest pain.
74. Plaintiff was unaware that his father was trying to reach him since Plaintiff could not retrieve his voice mail.
75. Plaintiff's sister, Claudia Terra who resides in Coventry, Rhode Island could not reach Plaintiff and called the Philadelphia Police to contact him.
76. Plaintiff could not answer his sister's calls since his phones were blocked.
77. Plaintiff's family suffered severe emotional distress by their inability to call one another.
- WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT VX
PLAINTIFF VS ALL DEFENDANTS
DESTRUCTION OF PERSONAL PROPERTY

78. Plaintiff incorporates by reference averments in paragraphs one (1) through seventy seven (77) as though set forth herein.
79. Plaintiff stored photographs and documents on his computer and backup drive as evidence in this case.
80. Defendant Homeland Security agents caused Plaintiff's laptop computers to crash so that the files would be destroyed to cover up the wrongful investigation.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT VXI
PLAINTIFF VS ALL DEFENDANTS
POISONING OF PLAINTIFF WITH TAINTED CANDY

81. Plaintiff incorporates by reference averments one through eighty as though set forth fully herein.
82. Plaintiff purchased Chocolate Hershey candies which he placed on a bookcase.
83. Without Plaintiff's knowledge, Defendant Homeland Security agents laced these candies without powerful sedatives.
84. Plaintiff ingested a candy and became immediately ill.
85. Said tainting of these candies showed wanton and reckless conduct by Defendant Homeland Security agents and placed Plaintiff at risk for severe bodily harm and probable death.
86. The conduct by Defendant's agents demonstrated a complete and total lack of regard for Plaintiff's well being and existence.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees.

COUNT VXII
INVASION OF HOME
ENTRANCE WITHOUT CONSENT

87. Plaintiff incorporates by reference averments one (1) through eighty six (86) as though set forth fully herein.
88. Defendants used Plaintiff's residence located at 901 Rodman Street, Philadelphia, Pennsylvania as part of their covert operations.
89. The residence was built on the site of an old tap room and has a tunnel, totally separate

utilities for gas, electric and phone.

90. Various electronic devices were installed on the roof since it is a totally detached structure permitting such electronic devices to work properly.
91. The house was built by Defendant Howard Lander and sold by his wife Defendant Andrea Lander who is a real estate agent in a sham sale to Defendants Gerald Shockman and Aileen Shockman.
92. Defendants Shockman were “straw buyers” as part of the cover for the sale of the house.
93. Defendants Shockman held meetings and other functions for Defendant Homeland Security.
94. In 1997, Defendants Shockman decided to relocate to a condominium due to their failing health.
95. Defendant Homeland Security intended one of their local agents to purchase the residence, but since his home remained unsold, his offer was contingent on the sale of his home.
96. Since Plaintiff’s offer had no contingency, Defendants Shockman were forced to sell their home to Plaintiff.
97. Plaintiff’s purchase was made solely with Plaintiff’s funds with no contribution by Defendant Kennard.
98. Without Plaintiff’s consent, Defendant Kennard granted permission to access the home by Defendant Homeland Security without telling Plaintiff.
99. Even though they lacked Plaintiff’s permission, and even though Defendant Homeland Security agents knew that Defendant Kennard had no authority, they never once asked for

Plaintiff's consent.

100. Defendant Homeland Security agents continued to use Plaintiff's residence without Plaintiff's permission and in defiance of Plaintiff's clear and obvious choice that no one could use his home.
101. The daily use of Plaintiff's home totally disrupted Plaintiff's ability to say his prayers, precluded him from meditation and interrupted every aspect of his life.
102. Defendant Kennard and Homeland Security agents were aware of Plaintiff's views.
103. Defendant Homeland Security agents increased their activities such that Plaintiff was completely prevented Plaintiff from living in his own home.
104. Defendant Homeland Security agents ignored Plaintiff's daily complaints and said that Plaintiff was "crazy" and that "it was all in his head."
105. Defendant Homeland Security's harassment affected Plaintiff's medical and mental health such that he was hospitalized multiple times at Pennsylvania Hospital
106. In 2000, Defendant Kennard broke off his relationship with Plaintiff preventing Defendant Homeland Security's access to the house.
107. Defendant Homeland Security still had never asked Plaintiff for permission but instead introduced Plaintiff to Defendant Dennis Jackson, a person in the Federal Witness Protection Program.
108. Since Defendant had been relocated to Philadelphia, he lacked a permanent home but was obligated to Defendant Homeland Security for its protection.
109. Defendant Homeland Security ordered Defendant Jackson to befriend Plaintiff and actually to seduce him so that Plaintiff would invite Defendant Jackson to move into his

residence allow Defendant Homeland Security access to Plaintiff's residence.

110. After Defendant Jackson moved into Plaintiff's residence, Defendant Jackson gave Defendant Homeland Security agents unfettered access to Plaintiff's home without Plaintiff's permission.
111. When Plaintiff questioned what he saw, Defendant Jackson told Plaintiff that he was crazy and that he should go see his psychiatrist.
112. Plaintiff observed his home being scaled on the outside to gain access to the roof as well as entered daily when he was out.
113. The ongoing home invasions were reported to the Philadelphia Police at the South Street Substation but dismissed without any investigation since Defendant Nosario intercepted the police officers dispatched to check the complaint so as to prevent Plaintiff from filing a police report.
114. Plaintiff told numerous Defendants including Jackson, Nosario, Slom and Hoyme but was told that he was paranoid.
115. Said invasions continued even after Plaintiff had all the house locks changed and Defendant's agents obtained an unauthorized copy of the keys to the house.
116. Defendant Homeland Security agents schemed and devised numerous ways to gain access to the house in spite of knowing that they clearly had no permission.
117. Not once during the 10 ½ years that Plaintiff owned the residence did anyone ask whether he would grant access to Defendant Homeland Security to use the house.
118. Not once during the 10 1/2 years that Plaintiff owned the house did anyone ask whether he would be willing to sell the property.

119. Defendant Homeland Security also conspired with First Horizon Bank through the law firm of Parker and McKay attorney Michael Bernstein to force Plaintiff's home into foreclosure.
120. Defendant Homeland Security agents contacted each of Plaintiff's employers and told them that Plaintiff was mentally unstable and was a danger to them.
121. Plaintiff was actually very stable mentally, never had any mental illness and had been healthy for his entire life and consequently never required any medical treatment.
122. Defendant Homeland Security agents calls resulted in being terminated such that making his mortgage payments impossible and was a part of their elaborate plot to gain ownership of Plaintiff's home.
123. Defendants' actions constituted a deliberate, malicious and relentless plot to take ownership of Plaintiff's home, demonstrated wanton and reckless disregard for the well being and welfare of the Plaintiff, conduct warranting punitive damages.
124. Defendant Homeland Security sought Plaintiff's home for use in the Federal Witness Protection Program.
125. At AMPIA, Defendants Chuva and Dalton provided Plaintiff with leads for new customers that were members of the Federal Witness Protection Program.
126. Plaintiff was given a lead for Defendant Princy Thottapilly, a nurse on the Pediatric Intensive Care Floor at Temple University Hospital, the fifth floor.
127. Defendant Thottapilly said that she was very interested in purchasing some insurance from Plaintiff but then suddenly disappeared as did all Defendant Homeland Security leads.

128. Defendant Thottapilly had been placed in Philadelphia and then her husband followed one year ago.
129. Like most of these individuals, the house contained virtually no furniture even though the house was worth almost \$300,000.
147. Defendant Thottapilly also stated that she had bought the home from her sister who now had moved to Huntington Valley, Pennsylvania.
148. This pattern of expressing interest, no furniture, a background that made no sense and then disappearing was the pattern for all the witness protection individuals which also included Princy Thottapilly, Robert Baranowski, Mary Walters, Dennis Jackson, Kerry Schmid, Catherine Muir, John Muir, Alfred Curley, James Ascenza, Joseph Walters, Robert Hankins, Barbara Freedman, Lidya Bilovol, Glenn Sheridan, Julian Deal, William Harvey, Mark Lawrence, David Messick, Robert Stenner, Eric Stratche, Brian Bourque, Keith Carter, Michael Horan, Joseph Maloney, Shane Hatch, Douglas Winslow, James Welsh, James Masar, Bruce Hoffman, Matthew Cook, and John Hollingsworth,
149. Plaintiff spent countless hours working but produced no income.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT XVIII
PLAINTIFF VS. ALL DEFENDANTS
ILLEGAL WIRETAPPING

150. Plaintiff incorporates by reference the averments contained in paragraphs one (1) through one hundred forty nine (149) as though set forth fully herein.
151. At no time over the past thirty years was there evidence of any illegal conduct by the

Plaintiff.

152. Defendant Homeland Security agents engaged in an ongoing systemic wiretapping of all Plaintiff's telephones without justification begun with a baseless request. and constitutes a violation of 18 U.S.C. Sec. 2510 et seq.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT XIX
PLAINTIFF VS ALL DEFENDANTS
ILLEGAL SURVEILLANCE OF COMPUTER

153. Plaintiff incorporates by reference the averments in paragraphs one (1) through one hundred fifty two (152) as though set forth fully herein.
154. Defendant Homeland Security agents repeatedly accessed both of Plaintiff's laptop computers to view, delete and otherwise alter stored files.
155. Defendant Homeland Security agents caused both computers to crash repeatedly to destroy and deprive Plaintiff of this information.
156. Defendant Homeland Security agents deleted reports and legal pleadings drafted for this case to cover up their actions.
157. Defendant Homeland Security agents also installed surveillance software on Plaintiff's computers to spy on Plaintiff as well as prevent him from using his computers.
158. Said conduct by Defendant Homeland Security agents constitute violations of 18 U.S.C. Sec. 1036.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and

attorneys fees.

COUNT XX
PLAINTIFF VS ALL DEFENDANTS
ILLEGAL SURVEILLANCE THROUGH USE OF MICROPHONES

159. Plaintiff incorporates by reference the averments in paragraphs one (1) through one hundred fifty eight (158) as though set forth fully herein.
160. Defendant Homeland Security agents broke into Plaintiff's home and car and installed numerous microphones as well as wiretapping on all of Plaintiff's phones.
161. Since Plaintiff was not ever involved in any illegal activity or anything even suggestive of illegal activity, Defendant Homeland Security's surveillance was in violation of 18 U.S.C. Sec. 3121.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT XXI
PLAINTIFF VS ALL DEFENDANTS
ALIENATION OF FAMILY

162. Plaintiff incorporates by reference the averments in paragraphs one (1) through one hundred sixty one (161) as though set forth fully herein.
163. As part of Defendant Homeland Security's investigation, it recruited numerous family members of Plaintiff including his father and mother, Fred and Joan Czmus, his sisters, Kristine Ring and Claudia Terra, his brother in laws, Matthew Ring, Sr. Robert Terra, his nephews, Matthew Ring and Nicholas Ring, his uncle Frank Flynn, his cousins, Kathleen Flynn, Frankie Flynn and Peter Ring as well as Kathleen Flynn's husband, Robert Horton.

164. Plaintiff's family were recruited to coerce him to leave Philadelphia and return to Rhode Island so that Defendant Homeland Security could gain control of Plaintiff's home.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT XXII
PLAINTIFF VS ALL DEFENDANTS
INTERFERENCE WITH BUSINESS RELATIONS

165. Plaintiff incorporates by reference averments in paragraphs one (1) through one hundred sixty four (164) as though set forth fully herein.

166. Plaintiff attended Temple University Law School and graduated in 1995.

167. Following graduation, Plaintiff was hired as an associate attorney by James E. Beasley, Sr. to work in his law firm.

168. Each performance review by James E. Beasley was glowing and was associated a substantial bonus.

169. In December of 1999, without warning, Defendant James E. Beasley, Sr. fired Plaintiff and filed a complaint to the Pennsylvania Bar.

170. James E. Beasley, Sr. disseminated his complaint throughout the legal and business community making employment as an attorney or in any other capacity essentially impossible.

172. Following discharge from The Beasley Firm, Plaintiff was hired by DiGiacomo and Baffa where he was given no guidance or assistance.

173. When the firms had financial difficulty, Defendant DiGiacomo told Plaintiff that the firm had insufficient funds to pay him.

174. Plaintiff was offered the option to remain without pay, but when he made that choice, Defendant DiGiacomo fired Plaintiff immediately.
175. Following his discharge from DiGiacomo and Baffa, Plaintiff was hired by Sheller, Ludwig and Badey.
176. At Sheller, Ludwig and Badey, Plaintiff's review were always excellent, but he was terminated when Beasley's complaint resulted in his disbarment.
177. Following discharge by Defendant Sheller, Plaintiff became licensed as an insurance agent and was hired by Bankers Life and Casualty by Defendant Masure.
178. In December, 2006, Plaintiff was then recruited through the recommendation of Defendant Nishaune Watson by Defendants John Vick and Marilyn Arnold to work for New York Life.
179. In August, 2007, Defendant Arnold fired Plaintiff when he complained about harassment.
180. After an extensive search for employment, Plaintiff was hired by The Hartford Insurance by Defendants Robert Chuva and Lisa Dalton.
181. Defendant Homeland Security agents disseminated vicious, inaccurate and severely damaging comments to each of Plaintiff's employers resulting in his termination from every job he held.
182. Plaintiff's discharge was solely the result of Defendant Homeland Security's interference and dissemination of inaccurate, damaging comments to Plaintiff's employers.
183. When Plaintiff was discharged by AMPIA, Defendants Chuva and Dalton refused to explain the letter received by Plaintiff which listed the reason for discharge as the agency, AMPIA owned by Defendant Dalton and where Defendant Chuva works.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT XXIII
PLAINTIFF VS ALL DEFENDANTS
DEFAMATION

184. Plaintiff incorporates by reference the averments in paragraphs one (1) through one hundred eighty three (183) as though set forth fully herein.
185. Defendant Homeland Security agents told Plaintiff's employers that he was mentally ill and unstable.
186. As a result of these clearly wrong and public communications about Plaintiff, Plaintiff suffered harassment, heckling, and constant berating by neighbors, friends, family and was terminated by each of his employers.
187. Said wrong and damaging public communications caused permanent, severe and irreparable harm to Plaintiff's reputation.
188. Said communication constituted defamation and resulted in total destruction of Plaintiff's business, personal and social lives.
189. Defendant Homeland Security agents had no first hand information as to Plaintiff's mental health and disseminated grossly inaccurate and damaging information which ruined friendships, family relations and business relationships lasting up to thirty years.
190. The dissemination of this flagrantly wrong information to the public resulted in permanent, irreparable harm to Plaintiff's reputation that is beyond repair.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT XXIV
PLAINTIFF VS ALL DEFENDANTS
FALSE IMPRISONMENT

191. Plaintiff incorporates by reference the averments contained in paragraphs one (1) through one hundred ninty (190) as though set forth fully herein.
192. The defamatory statements by Defendant Homeland Security agents created a hostile work environment destroyed family relationships, alienated his friends and neighbors such that there was no one with whom Plaintiff could associate.
193. Defendant Vick went so far as to write on his own business card that Plaintiff was being subjected to a hostile work environment.
194. The inability of Plaintiff to associate with others prevented him from leaving his home and made him a prisoner in his own home.

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

COUNT XXV
PLAINTIFF VS ALL DEFENDANTS
VIOLATION OF ACT IX: HARASSMENT AND RETALIATORY DISCHARGE

195. Plaintiff incorporates by reference averments contained in paragraphs one (1) through one hundred four (194) as though set forth fully herein.
196. Plaintiff is age fifty five and as such is in an age protected class pursuant to Act IX.
197. While employed at New York Life, Plaintiff was subjected to systematic harassment by Defendant Mooney which was reported to Defendant Arnold.
198. Following his complaint about the ongoing harassment, Plaintiff was retaliatorily

discharged by Defendant Arnold to cover up the ongoing harassment which had been ignored by Defendant Arnold despite Plaintiff's numerous complaints.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees

COUNT XXVI
PLAINTIFF VS ALL DEFENDANTS
BAD FAITH

199. Plaintiff incorporates by reference averments contained in paragraphs one (1) through one hundred ninty eight (198) as though set forth fully herein.
200. Defendant Burgmann introduced Plaintiff to Defendant Dennis Jackson solely for the purpose of enabling Defendant Homeland Security access to Plaintiff's residence.
201. Defendant Dennis Jackson carried on a sham relationship with the Plaintiff solely for the Defendant Homeland Security's operation.
202. In 2003, Defendant Jackson suddenly stopped all sexual relations and has never had any since that time.
203. The sudden cessation of all sexual relations was part of the Homeland Security scheme to frustrate Plaintiff and enable Defendant Homeland Security access to the house.
204. Plaintiff's jobs at Bankers Life, New York Life and Hartford Insurance were only shams that were part of the Defendant Homeland Security front.
205. Defendants Masure, Arnold, Vick, Chuva and Dalton acted in bad faith by misrepresenting themselves as true employers.
206. Not only were the jobs a sham but Defendants Chuva and Dalton provided Plaintiff with

potential customer leads that were Defendant Homeland Security agents and which generated no income.

207. The lost income from these jobs caused Plaintiff to sustain a monumental financial loss which severely and dramatically damaged his credit rating.

208. Prior to 2003, Plaintiff had an excellent credit rating.

210. Due to the drastic drop in Plaintiff's income, he attempted to refinance his home.

211. Instead of being contacted by legitimate mortgage brokers and bankers, Defendant Homeland Security agents posed as fictitious bankers and mortgage brokers preventing Plaintiff from getting suitable financing and further ruining his previously excellent credit rating.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees

COUNT XXVII
PLAINTIFF VS ALL DEFENDANTS
CONSPIRACY

212. Plaintiff incorporates by reference the averments in paragraphs one (1) through one hundred two hundred eleven (211) as though set forth fully herein.

213. Defendant Homeland Security agents continued conducting aggressive surveillance with no valid basis.

214. Defendant Homeland Security agents worked with Plaintiff's employers, friends, business associates, family and others to convince Plaintiff that he was paranoid and psychotic when in actuality Plaintiff's observations were totally accurate.

215. Defendant William J. Kennard, Jr. initiated this investigation all the while knowing that

Plaintiff was not involved in any illegal activity.

216. In contrast, Defendant William J. Kennard, Jr. has a history of Cocaine addiction and embezzlement.
217. In 1984, William J. Kennard regularly embezzlement funds from his employer to support his Cocaine addiction.
218. In 1984, Defendant William J. Kennard, Jr. was fired when an audit revealed the extensive funds which he had stolen.
219. In 1984, his employer threatened criminal charges if Defendant Kennard did not return the funds.
220. Since Defendant Kennard had expended all of these funds on drugs, he had no way to reimburse his employer.
221. Plaintiff paid Defendant Kennard's former employer but Defendant never paid Plaintiff back.
222. In 2000, Defendant Kennard ended his relationship with Plaintiff and then went to Plaintiff's bank where he misrepresented himself as having a power of attorney to the branch manager and then withdrew almost \$60,000 from Plaintiff's savings account without permission or consent.
223. After withdrawing the funds, Defendant Kennard hid the funds and refused to disclose their location even after the Court of Common Pleas ordered him to do so.
224. Defendant Kennard was eventually forced by the court to return the funds but did so involuntarily.
225. Defendant sued Plaintiff for possessions that Plaintiff had bought with his own funds and

demanded compensation for a nonexistent right to the property at 901 Rodman Street.

226. The Philadelphia Court of Common Pleas appointed Susan Shepherd as Master.
227. Defendant Kennard repeatedly tried to claim property as his and even showed Susan Shepherd receipts for property bought with Plaintiff's credit card.
228. Defendant Kennard was awarded no property and no interest in the 901 Rodman Street, and everything was awarded to Plaintiff consistent with who had provided the funds.
229. At the final conference, Susan Shepherd told Plaintiff that she would not be attending the settlement conference since she was scared to be in the same room as Defendant Kennard and thought that he was "totally crazy".
230. At the final settlement conference, Defendant Kennard refused to pay his share of Master Shepherd's fee, and since Plaintiff did not want her to be denied her rightly due fees, Plaintiff paid the whole fee due her.
231. At the conclusion of the case, Defendant Kennard's attorney, William Torchia was owed \$25,000 which Defendant Kennard refused to pay.
232. Attorney Torchia sued Defendant Kennard for his fees and was awarded the complete outstanding fee, but again Defendant Kennard refused to pay him.
233. After the award of attorney's fees, Defendant Kennard declare bankruptcy and never paid his attorney.
234. Defendant Michael J. Huberty, Jr., a prominent member of a very old established family who were the owners of the Marshall Fields Department Stores before they went public was introduced to Plaintiff by Defendant Charles R. Hill who had deliberate sought out Plaintiff on the internet so as to enable Defendant Huberty access to Plaintiff's home.

235. Defendant Huberty is a member of the Minnesota Bar who formally worked for a well known law firm but now is counsel to a Minneapolis bank.
236. Defendant Huberty demanded items costing in excess of \$10,000 defendant Huberty and even ordered Plaintiff to pay Defendant Hill's outstanding back utility bills.
237. For over four years, Defendants Hill and Huberty have had an illicit gay affair without telling family including Defendant Huberty's wife, Paula Huberty or his children including his daughter, Jillian who is a first year medical student at the University of Minnesota.
238. The relationship between Defendants Hill and Huberty involved somewhat alternative sex as evidenced in Exhibit B.
238. Defendants Kennard, Frank Peta, Nosario, Slom, Gallop, Toner, Cozi, Thomas Peta, Foley, Fier, Marandino, Guerrera, and others had a longstanding and close relationship that provided in depth knowledge of Plaintiff's conduct such that there was no question or excuse for not knowing whether Plaintiff was involved in anything illegal.
239. Defendant Frank Peta routinely asked Plaintiff for legal, medical and investment advice.
240. If Plaintiff was untrustworthy, Defendant Peta would not have sought Plaintiff's advice regularly.
241. Defendant Peta only consulted Plaintiff and never anyone else for this sensitive, important and personal advice.
242. Defendant Nosario likewise sought out Plaintiff's legal advice on an important estate matter arising out her mother's death.
243. Clearly, Defendant Nosario trusted Plaintiff for such matters.
244. Defendants initiated this investigation knowing that Plaintiff was not involved in any

illegal activities but still relentlessly and with malice and aforethought pursued this investigation to destroy Plaintiff.

245. Defendants not only initiated this investigation but continued for over thirty years.

246. A cursory review of the basis by one Defendant Homeland Security agent would have shown that the investigation had no basis from its inception.

247. Defendants knew unequivocally that there was no basis for initiating or continuing the investigation.

248. In complete contradiction to the facts, Defendants worked together for over thirty years to destroy Plaintiff.

249. Defendants' plan to destroy Plaintiff was a systematic scheme to destroy an innocent man involved in no illegal activity.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees

COUNT XXVIII
PLAINTIFF VS ALL DEFENDANTS
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

250. Plaintiff incorporates by reference averments in paragraphs one (1) through two hundred forty nine (249) as though set forth fully herein.

251. Defendant Homeland Security agents deliberately and with malice aforethought spread vicious, false and defamatory rumors to Plaintiff's neighbors, friends and employers that resulted in nonstop daily harassment, heckling, name calling and other mistreatment.

252. The lies became were so prevalent that Plaintiff was unable to leave his home without

being subjected to mistreatment.

- 253. Even though Defendants knew that the rumors were false and that spreading them would surely harm Plaintiff, they spread them relentlessly.
- 254. Defendants contacted Plaintiff's employers saying that Plaintiff was mentally ill and unstable.
- 255. Plaintiff was terminated by his employers which obviously resulted in unimaginable distress.
- 256. Defendants' action constituted deliberate and malicious conduct with the obvious and expected outcome of severe emotional distress.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees

COUNT XXIX
PLAINTIFF VS ALL DEFENDANTS
BREACH OF FIDUCIARY DUTY

- 257. Plaintiff incorporates by reference averments in paragraphs one (1) through two hundred fifty six (256) as though set forth fully herein.
- 258. Defendants Givhan and Huberty as members of the bar have a fiduciary duty to the court to conduct their affairs with honesty and truthfulness.
- 259. Defendants Givhan and Huberty by pursuing an obvious baseless investigation which included illegal wiretapping, video surveillance, home invasions, computer sabotage, subjected Plaintiff to unjustified searches, and other intrusions violated their fiduciary duty.
- 260. Defendant Nosario, as a Philadelphia Police Officer had a duty to uphold the laws of the

City of Philadelphia and the Commonwealth of Pennsylvania.

261. Defendant Nosario by pursuing a baseless investigation with illegal wiretapping, video surveillance, home invasions, computer sabotage, illegal searches, numerous other intrusions constituted a violation of her fiduciary duty to uphold the laws of the City of Philadelphia and the Commonwealth of Pennsylvania.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees

COUNT XXX
PLAINTIFF VS ALL DEFENDANTS
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

262. Plaintiff incorporates by reference averments contained in paragraphs one (1) through two hundred sixty one (261) as though set forth fully herein.
263. Defendant Homeland Security agents recruited Plaintiff's sisters, Kristine Ring and Claudia Terra who both who suffer from severe Bipolar Disease.
264. Kristine Ring's disease has not been in control for years despite aggressive inpatient treatment at Harvard Medical School and the demands placed on Kristine Ring by these responsibilities has resulted in repeated hospitalizations.
265. Kristine Ring has also attempted suicide from the intolerable stress.
266. Prior to her recruitment, Kristine Ring was under fair control but it was clear to any lay person that she could not withstand any additional stress.
267. Defendant Homeland Security also recruited Plaintiff's parents who are 87 and 82 years of age and who have suffered heart attacks and have undergone multiple heart bypass operations.

268. It was clear to any lay person that Plaintiff's elderly and very sickly parents could not withstand such stress.

269. Defendant Homeland Security put Plaintiff's sickly family members in a position that guaranteed them to suffer severe, life threatening complications.

270. Defendant Homeland Security's deliberate and unconscionable use of Plaintiff's own family demonstrates their total disregard for the welfare of others and specifically Plaintiff's family.

271. Defendant Homeland Security's conduct rises to the level of a callous disregard and is deliberate and malicious.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees

COUNT XXXI
PLAINTIFF VS ALL DEFENDANTS
ALIENATION OF PARTNER'S AFFECTION

272. Plaintiff incorporates by reference averments in paragraphs one (1) through two hundred seventy one (271) as though set fully herein.

273. Prior to February 2005, Plaintiff had an excellent healthy and active relationship with his partner, Defendant Jackson which included a great sex life.

274. On the weekend before February 16, 2005, Defendant Huberty visited Plaintiff and at that time seduced Plaintiff while Defendant Daniel Fisher convinced Defendant Dennis Jackson to stay the weekend so that he could seduce Defendant Jackson.

275. The simultaneous seduction of Plaintiff and his partner was part of Defendant Homeland Security's scheme to break up their relationship and gain ownership of Plaintiff's home.

276. On February 16, 2005 without warning, Defendant Jackson moved out of Plaintiff's home.
277. Defendant Jackson began writing things such as Exhibit C in which he claims honesty by himself but dishonesty by Plaintiff.
278. In actuality, Plaintiff was being honest and Defendants were not.
279. Defendants Fisher and Huberty destroyed a longstanding loving relationship for the sole purpose of getting ownership of Plaintiff's home.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees

COUNT XXXII
PLAINTIFF VS ALL DEFENDANT
DEFENDANTS HAVE PLACED PLAINTIFF AT RISK BY THEIR ONGOING
DECEPTION AND LACK OF DISCLOSURE

280. Plaintiff incorporates by reference averments one (1) through two hundred seventy nine (279) as though set forth fully herein.
281. Defendant Dennis Jackson's lack of honesty began with his introduction and continues today placing Plaintiff at risk by Defendant's status as a member of the Federal Witness Protection Program.
282. Plaintiff had no instructions or information as to what he should look for, warning signs, and if he observed anything, what he should do or who he should call.
283. Defendant Jackson refused to discuss any details of his status in the Federal Witness Protection even though Plaintiff already knows.
284. Plaintiff still has not been told what to do in an emergency.
285. Plaintiff has known about Defendant Jackson's Status for the duration of their relationship

and is solely concerned about his safety.

286. Although Plaintiff has known for their entire relationship, Plaintiff has never divulged this information .

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees.

COUNT XXXIII
PLAINTIFF VS ALL DEFENDANTS
ABUSE OF POLICE POWER

287. Plaintiff incorporates by reference the averments in paragraphs one (1) through two hundred eighty six (286) as though set forth fully herein.

288. Defendant Homeland Security repeatedly invaded Plaintiff's home and installed surveillance equipment while conducting a totally baseless investigation initiated by a totally dishonest and not credible individual, Defendant Kennard.

289. Not once over the course of thirty years did any one of Defendant Homeland Security's agents bother to verify the validity of Defendant's complaint.

290. Not once over the course of ten and a half years did any one from Defendant Homeland Security asked for permission to gain access to his home. over

291. Not once over the course of ten and a half years did anyone from Defendant Homeland Security ask whether Plaintiff would consider selling his home.

292. When Defendant Homeland Security agents realized that there was no basis for their investigation, they ocontinued surveillance, destroyed computer files and destroyed any evidence to cover up their misdeeds.

293. Defendant Homeland Security agents conducted a pattern of corruption and abuse to continue their baseless investigation and cover up their misdeeds.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees.

COUNT XXXIV
PLAINTIFF VS ALL DEFENDANTS
BATTERY

294. Plaintiff incorporates by reference the averments in paragraphs one (1) through two hundred ninty three (293) as though set forth fully herein. .

295. Plaintiff suffers from severe back disease which has caused increasing paralysis of both his legs

296. Plaintiff went out to his garage to retrieve his cell phone from his car.

297. While trying to get the phone, his legs became paralyzed.

298. Plaintiff repeatedly yelled for help while multiple Defendant Homeland Security agents stood outside his garage commenting that Plaintiff was “faking it.”

299. While Plaintiff struggled to get out of the car, his right arm became trapped under the front electric seat which began started to move and crushed Plaintiff’s arm.

300. Plaintiff could not stop the seat and begged for help but Defendant agents especially “Ann” ignored him and didn’t even ask whether he was okay or to call 9-1-1.

301. Instead, Defendant agent “Ann” argued with her superiors and told them that she was not going to talk to Plaintiff even though her superiors warned her that her despicable and unconscionable conduct would surely preclude her from ever becoming a member of the bar since she had just completed law school.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees.

COUNT XXXV
PLAINTIFF VS. ALL DEFENDANTS
RESTITUTION

302. Plaintiff incorporates by reference the averments in paragraphs one (1) through three hundred one (301) as though set forth fully herein.
303. Plaintiff paid the funds embezzled by Defendant back to his employer, The On Company which Defendant Kennard promised to pay back but has never paid him back.
304. Defendant Hill ordered Plaintiff to purchase numerous costly items for him but Defendant Hill never paid back.
305. Defendant Huberty demanded that Plaintiff purchase totaling more than \$10,000 which Defendant Huberty never paid back.
306. Defendant Jackson resided with Plaintiff for eight years at 901 Rodman Street, Philadelphia, Pennsylvania.
307. When Defendant Jackson took up resident with Plaintiff, Defendant agreed to pay half of all utilities, \$1000 as a contribution towards the mortgage and \$1000 per year as his share at Plaintiff's camp in Lehighton, Pennsylvania.
308. Defendant Jackson paid his share for the first several months but nothing since then leaving an unpaid balance of \$126,000.
309. Defendant Homeland Security used Plaintiff's utilities to run their surveillance equipment which has not been reimbursed.

Wherefore, Plaintiff hereby demands restitution for all of Plaintiff's unreimbursed expenses

along with interest, costs, and attorney fees.

COUNT XXXVI
PLAINTIFF VS ALL DEFENDANTS
DEFENDANT HOMELAND SECURITY'S USE OF 901 RODMAN STREET AS PART OF
THE PHILADELPHIA HOMELAND AND SECURITY OFFICE'S FEDERAL WITNESS
PROTECTION PROGRAM

310. Plaintiff incorporates the averments in paragraphs one (1) through three hundred nine (309) as though set forth fully herein.
311. Defendant Homeland Security agents are part of the Philadelphia Homeland Security Federal Witness Protection Program.
312. This program utilizes a number of different buildings in the neighborhood of 901 Rodman Street, Philadelphia, Pennsylvania.
313. When Defendantt Homeland Security lost access to 901 Rodman Street, they moved into a building across the street formerly occupied by a nursery school.
314. Defendant Howard Lander who had built 901 Rodman Street also built a building housing Whole Foods and the South Street Police Substation.
315. In that structure, Defendant Lander constructed offices and room for Defendant Homeland Security's offices electronic surveillance equipment.
316. Further down 9th Street on the corner of Pine Street, Defendant Homeland Security installed more electronic equipment.
317. On the corner of 10th and Bainbridge, Defendant Homeland Security installed more electronic equipment and antennae.
318. Defendant Homeland Security maintains numerous other buildings which house the activities of the Federal Witness Protection Program.

319. Since Plaintiff was surrounded by these agents, he met individuals who had been relocated to Philadelphia from other places and Philadelphia people who were relocated elsewhere.
320. Defendant Dennis Jackson was one person relocated to Philadelphia and his introduction by Defendant Thomas Burgmann was part of the overall relocation plan.
321. Defendant Jackson was relocated along with the rest of his family including his parents Catherine and John Muir who were moved to Queensland, Australia and his sister Kerry Schmid who moved to West Virginia.
322. Defendant Jackson's father had previously worked at the Pentagon and when an initial move to Hawaii provided inadequate protection, Jackson's parents were moved to Australia while Jackson was flown east, first to Fairfield, Virginia, then to Alexandria, Virginia and ultimately to Philadelphia. Jackson's sister was first placed in Silver Spring, Maryland and then recently moved to West Virginia.
323. Defendant Jackson's relocation required participation and ongoing cooperation with Homeland Security agents including placing surveillance equipment in Plaintiff's home.
324. Defendant James Ascenza was another individual relocated to Philadelphia when he entered the Federal Witness Protection and moved from Brooklyn, New York.
325. Since a member of the program was required to participate and cooperate with the needs of the program, these individuals met on a regular basis to review their work and to become familiar with one another.
326. These meetings occurred at 901 Rodman Street with Defendant Shockmans hosting the gatherings. Also, it is believed that such meetings occurred when Plaintiff was not present in his home. Likewise, Defendant Frank Peta also held such gatherings.

327. Members of the program were also assigned to work with one another. Defendant Mary Walters was hired to work with Plaintiff as his paralegal. The managing partners of the law firm were Defendants Daniel DiGiacomo and Cheryl Baffa, also members of the program.
328. When the time for Defendant Mary Walters to leave had arrived, a bogus story was concocted saying that she had suffered an allergic reaction to MRI dye when she had undergone a routine test.
329. Such an occurrence is medically impossible since such a reaction would occur in first or one of the very first exposures to the dye and Defendant Mary Walters had undergone numerous tests in the past.
330. Besides these individuals, Plaintiff was exposed to numerous others including Joseph Walters, Toby Salceto, Robert Baranowski, Barbara Freedman, Toby Salceto, Robert Hankins, P rincy Thottapilly, Marc Auerback, John Vick, Marilyn Arnold, Samuel Picketts, Albert Brooks, Brian Young, Brion Kavanagh, Jonathan Cohen, Stephen Mooney, Michael J. Huberty, Eric Kressman, Kurt Jung, Susan Shepherd, Cornel Black, Karen Sayers, Joseph Jankowski, Cecilia Lopez, Harry Lubrecht, Trecia Stokes, James Smith, Ellen Suria, Bruce Ludwig, George Badey, William Gordon, James Ascenza, Alfred Curley, David Fowler, Baltazar Rodriguez, Pedro Rodriguez, Dale Wilcox, Michele Santin, Billy Meehan, Pedro Toscato, Thomas Rutter, Marsha Santangelo, David Federman, Jayne Piarulli, David Yanoff, Michael Smerconish, Thomas Kline, Shannin Specter, Scott Bennett, Nancy Rhoades, Michael Digenova, Scott Allen, Vincent Annette, Alan Lechner, Alan Kress, Sara Bertram, Robert Blythe, Thomas Burgmann, David Brooks, Anthony Battiglieri, Jeffrey Blank, Charles Brault, Robert Gladys, John Bibby, Leanne Brown, Steven Boone, Keith

Brennan, Robert Stenner, Donald Bahr, Neil Bonavita, Joseph Bracken, Mark Caplow, James Consolantis, Joseph Commoroto, Richard Collins, Paul Causey, Joseph Oroza, Irwin Deutch, Robert Dorski, Bruce Hoffman, Loraine Hicks, Michael Horan, Christopher Hunter, Thomas Carr, James Hoyme, Jay Straube, Glenda Johnson, Marc Justinaro, Dennis Jackson, James McQuaid, William Harvey, Gary Kramer, Stanley Kosier, Christopher Kempf, Mitchell Kaminski, Robert Kravitz, Eric Kressman, Dr. Kalamchi, Roy Mensch, Lydia Marrero, Rody Alvar, James McQuisten, Ruth Stoddard Long, John Stoddard, Robert Mackey, Richard Meehan, David Chickadel, Jamie Campanella, Nancy Cassidy, David Cook, Jennie Costa, Jennifer Claves, Maryellen Camissa, Wayne Carbone, Daniel DePrince, Robert Chuva, Lisa Dalton, David Mastsof, David Hiridi, Charles Dione, Leslie Dimor, Douglas J. McBride, Timothy Gettings, Mark Lawrence, John Lewis, Deanna Stevenson, Janice Russel, Hilda Gonzalez Lopez, Pete Lapan, Ralph Lacava, Lepore, Karen Lambert, Garath Maenpaa, Falk Lohoff, David Messick, Joseph Luczkowski, Stephen Lee, Terry McCabe, Derek Ward Marlow, Nicole MacCaren, Michael Martin, Brooks McCall, Douglas J. McBride, Dane Miller, Fern Horwitz Margoles, Peter Margoles, Theresa Miller, Irene McCall, Catherine Muir, John Muir, Frank Marandino, John Fier, Michael Jische, Phillip Maurer, Michael Eurbin, Michael Repaupo, Michael Snyder, James Masar, Michael Horan, Joseph Maloney, Kelly Nakao, Robert Blythe, Joseph Steele, Paul Nigro, Michael Pereyro, Frank Peta, Thomas Peta, Anthony Pantalone, Peter Regstad, Richard Pettyjohn, Aggie Pettyjohn, Eric Prylor, Lisa Prylor-Levy, Kenneth Pearlberg, Robert Paul, David Paul, James Kleber Augusto Peixoto, Kenneth Pike, Tiffany Glover, William Perry, David Penning, Anthony Petchalonis,, Phyllis Parker, Pedro Rodriguez, Richard Quady, David

Robinson, Armand Rudolf, Eugene Agee, Ellis Reeder, Lee Weinesche, Richard Rosati, David Ramphys, Victor Antonio Sanchez, Richard Tillinghast, Ann Schneider, Henry Schneider, Marion Smith, John Lewis, Eric Schneider, Henny Sternfeld, Saji Simon, Toby Salceto, Melvin Smith, Nora Slom, Joseph Sparacio, Kerry Schmid, Robert Smith, Ronald Stauffer, Kenneth Stecker, Stanley Kosciak, Vincent Smith, Warren Storosko, Eric Stratche, Donald Scurry, Glenn Sheridan, Robert Stenner, Bruce Todd, Randolph Schader, Thomas Toner, James Dunlap, David Termine, David Price, Darrel Teer, Emilio Tempiano, Susan Triosi, Tasha Tourain, Brian Urband, Iris Urband, Brian Franklin, Christine Wu, Minh Suh, Joseph Walters, Mary Walters, Robert Wopschall, Sandra Wopschall, Barclay Davis, Douglas Winslow, James Welsh, William Wilson, Paul Yamaguchi, John Zachs, M. Zamicheilli, Jane Tandy, Roger Townsend, Elma Turner, Barney Turner, James Turner, Richard Tillinghast, Mark Mundy, Ira Fine, Robert Spencer, Jr. Lisa Redmann, Robert Baranowski, Mary Walters, Dennis Jackson, Robert Hankins, Clark, Lidya Bilovol, Julian Deal, William Harvey, Mark Lawrence, David Messick, Brian Bourque, Keith Carter, Shane Hatch, John Hollingsworth, Samuel Lepore, Duncan Williams, Chritopher Scarfi, Eric Whitfield, David Mazar, Darren Coslov, Rachel Vergari, Fred Cercio, Frederic Deluca, Charles Whipple, Craig Proctor, Carl Ditorre, Stephen Mooney, Samuel Pitchetts, Jonathan Cohen, Thomas Coulter, John Vick, Alice Tran, Kurt Jung, Cornel Black, Cecilia Lopez, Joseph Jankowski, Harry Lubrecht, William Gordon, Dale Wilcox, Michele Santin, Billy Meehan, Thomas Rutter, Marsha Santangelo, David Federman, Thomas Rutter, David Yanoff, Marilyn Arnold, Wesley Masure, Nancy Rhoades, Scott Bennett, Susan Shepherd, Albert Brooks and others.

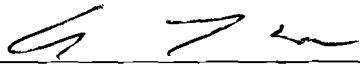
331. Even though Defendant Homeland Security had no consent to enter 901 Rodman Street, Defendant Homeland Security ordered its agents to befriend Plaintiff to get information and access .
332. Defendant Homeland Security used Plaintiff's residence for meetings and other aspects of their covert operations.
333. The various members of the program frequented and regularly used Plaintiff's home while nd participating in their activities but did not disclose their presence or the purpose to Plaintiff.

WHEREFORE, Plaintiff hereby demands judgement in his favor together with interest, costs and attorneys fees.

COUNT XXXVII
PLAINTIFF VS ALL DEFENDANTS
DAMAGES

334. Plaintiff incorporates by reference in paragraphs one (1) through three hundred thirty three (333) as though set forth fully herein.
335. Plaintiff sustained loss of wages, promotions, damage to his credit, pain, severe emotional distress, loss of business, professional and personal reputations, suffers ongoing harassment and humiliation as a result of Defendant's actions, loss of his medical license, bar and insurance licenses, total destruction of his partnership with Dennis Jackson, loss of 30 years of his life which cannot be replaced, ongoing surveillance, repeated invasion of his home, severe damage to his health, irreparable damage to his entire family which cannot be repaired due to the advanced ages and numerous other damages resulting from the actions described herein.vor

WHEREFORE, Plaintiff hereby demands judgment in his favor together with interest, costs and attorneys fees.

BY: 
AKIM F. CZMUS
PRO SE

DATED: 3/7/08

VERIFICATION

I, Akim F. Czmus hereby verify and declare under penalty of perjury that I have read the foregoing verified Complaint and know the contents thereof, and that the matters contained in the verified Complaint are true to my own knowledge, except that those matters herein

stated to be alleged on information and belief and as to those matters I believe them to be true.

I hereby verify and declare under the penalty of perjury that the foregoing is true and correct.

Dated: 3/7/08




EXHIBIT A

08-cv-1675

FBI PARTICIPANTS

BILL CLINTON
HILLARY CLINTON
EDWARD G. RENDELL
MARJORIE O. RENDELL
ARLEN SPECTOR
SHANNIN SPECTOR
MICHAEL SMERCONISH
RICHARD SANTORUM
JOHN STREET
MICHAEL NUTTER
DELORES SLOVITER
HARVEY BARTLE
SALVATORE FERINA
FRANK MARZIGLIANO
ALICE TRAN
DALE LARRIMORE
JOHN VICK
TERRI CRACKNELL
JOHN ELLIOT
EILEEN ELLIOT
MARINA ANGELL
FAITH ANGELL
JOEL STEELE
TEMA STEELE
JAMES ZEINER
MARY HOLEVINSKI
ROGER DICENZO
WILLIAM SNYDER
STEPHEN MOONEY
MICHAEL SNYDER
LOUIS SCHIMENTE
TEEVA JONES
LIDYA BILOVOL
MARTIN HOAG
IRIS HOAG
CHUNG YOL SIN
YOGINY PATEL
NANCY NALLY

JONATHAN COHEN
SETH CROSSAN
PAUL BARBIN
DANIEL CEWE
THOMAS COULTER
EULETTA GORDON
FARHAN LATIFI
JEFFREY HUGHES
PATRICK WICK
ALVIN GOLDEN
RICHARD GROVE
ROBERT FOSTER
DAVID MCCLELLAN
FRANK MCGUORIK
ELLEN ROBINSON
SCOTT SHERIDAN
SUSAN TRIOSI
JAMES PARK
JAMES RONCA
WILLIAM BANTON
KATHLEEN KRAMER
CAROL VASALLO
NANCY FULLAM
EILEEN LAMPE
TERRI MALENFANT
SEAN MARAVICH
LORI EMRICH
JAMES STROUD
JOHN KOPESKI
STEPHEN SELLER
ALBERT BROOKS
JULIAN DEAL
KENNETH DEROSE
LEROY CORKER
JOHN BINDY
ANNE BARTON
STANLEY KOSCIAK
MICHAEL EURBIN
HERBERT FEINSTEIN
BRADLEY FENTON
MARIE SAVARD
RICHARD FINKELSTEIN
RALPH FISHKIN
JOY GADSON
BRUCE GARBER

LEROY GOLDSMITH
ROBERT HAIRSTON
MITCHELL DREISMAN
SUSAN LEITMAN
ALAN ZAMETKIN
STEVEN EMANCIPATOR
ROCCO EMANCIPATOR
KENNETH EMANCIPATOR
VIOLET EMANCIPATOR
CHARLES GORDY
STEVEN GARAY
CRAIG PROCTOR
DAVID RAMPHYS
MICHELLE GOLDSTEIN
MARILYN ARNOLD
SAMUEL PICKETTS
JUSTIN OWENS
DAVID RUCCI
CARL DITORRE
MARK MUNDY
MICHELLE MURDOCH
JENNIFER THOMAS
MARSHA S. PIREHLE
CHARLES OZZY
MAE BROWN
MARSHALL SMITH
BRIAN YOUNG
ALISHA DUNCHAK
WARREN STOROSKO
MICHAEL GROGAN
JOSEPH BRACKEN
TONI BONAFILIO
BRIAN YOUNG
BARBARA WILKINSON
MORRIS WESTERMAN
ROBERT WATLINGTON
ALLAN STREITZ
WILLIAM SOYAK
MATTHEW ROBBINS
K.D. PATEL
BRIG MOHAN
WILLIAM MCNAMARA
DEBBIE MADOSKY
ARMY LITTLE
SHEL KOLINSKY

TREVOR JONES
ROGER HARE
STEVEN GOUDSOUZAIN
JAY EINSTEIN
COOEY CHUNG
KENNETH CAPPELLI
RONNIE BLAUFARB
JOSEPH BENDA
MARION ADLER
DANIEL THOMAS
ALEXANDER THOMAS
GLENN STORMS
JASBIR SINGH
SUZANNE RIFF
VANDY NELSON
MITCHELL MOYER
CESAR LODOVIC
THOMAS HEMMES
CRAIG LAFFERTY
GUY GLIMP
ABE FOSTER
THOMAS COULTER
PAUL BARBIN
REGI ABRHAM
WENDY MILLER
JOHN HOLLINGSHEAD
MIKALA BROWN
DR. TROBE
STEPHEN LEE
MARILYN ARNOLD
CAROLINE REEVES
CLAUDINE HOMOLASH
MICHAEL KATZ
JAMES COLLERAN
MARY COLLERAN
TERESA COLLERAN QUINN
CHRISTINE GIORDANO
JAMES COLLERAN, JR.
FRANCIS COLLERAN
ERIK VOGEL
ERIK ZAJAK
RICHARD KOLB
KATHLEEN O'NEILL
DAVID ZASLOW

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INA FIGUERA
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VIOLET EMANCIPATOR
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SEYMOUR KIVITZ
SFERN HORWITZ
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SUNAH PARK
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GERALD SPIVACK
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MANNY POKOLILOW
LOUIS PODEL
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FERN HORWITZ
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